

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Lands - Visakhapatnam District - Proposals for alienation of Government land to a total extent of Ac.1-00 (i.e., in Sy.No.129/1 and 3 to an extent of Ac.0-78 Cts of Vadlapudi village, and in Sy.No.131/ 1 to an extent of Ac.0-22 Cts of Chinagantyada village in Gajuwaka Mandal) in Visakhapatnam dist. in favour of Sri V. Venkataramana Raju on payment of market value of Rs.26,62,000/- for the proposed land for the purpose of Floriculture - Orders - Issued.

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**REVENUE(ASSIGNMENT-I) DEPARTMENT**

**G.O.Ms.No. 1543**

**Date:24-12-2008**

**READ the following :-**

- 1) From the Collector, Visakhapatnam District, Rc.No.1502/2002/E2, Dated 07-02-2004.
- 2) From the Spl.C.S. & CCLA, Hyderabad Lr.No.B3/ 512/ 2004, Dated 18-06-2004.
- 3) Govt.Memo.No.145328/ Assn.I(2)/ 2004-4, Dated 09-12-2005.
- 4) From the High Court of AP, Orders in WP No.626/ 2006, Dated 11.1.2006 filed by Sri V. Venkataramana Raju, s/o Late Sitramaraju, Vadlapudi post, Visakhapatnam.
- 5) Representation of V. Venkataramana Raju, Visakhapatnam Dated 25.1.2006.
- 6) Govt.Memo.No.2208/ Assn.I(2)/ 2006-1, Dated 17-02-2006.
- 7) From the Prl.Secy. To C.M., CMP No.524/ 2007, Dated 17.1.2007.
- 8) From the Collector, Visakhapatnam Rc.No.1502/ 2002 E2, Dated 7.6.2007.
- 9) From the Collector, Visakhapatnam Rc.No.56563/ 2005, E2., Dated 30.3.2008 addressed to the CCLA, Hyderabad.
- 10) From the Spl.C.S. & CCLA, Hyderabad Lr.No.,B3/ 1589/ 2007 Dated 29.4.2008.
- 11) From the Prl.Secy. to C.M., CMP No.5311/ 2008, Dated 16.5.2008 together with the representation of Sri V. Venkataramana Raju, Vadlapudi Post, Gajuwaka Mandal, Visakhapatnam dist. Dated 09-05-2008.

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**ORDER:-**

In the reference first read above, the District Collector, Visakhapatnam submitted Proposals as recommended by the Spl.C.S. & CCLA, Hyderabad in his letter second read above for alienation of Government land to a total extent of Ac.1-00 (i.e., in Sy.No.129/1 and 3 to an extent of Ac.0-78 Cts of Vadlapudi village, and in Sy.No.131/ 1 to an extent of Ac.0-22 Cts of Chinagantyada village in Gajuwaka Mandal) in Visakhapatnam district, in favour of Sri V. Venkataramana Raju on payment of market value of Rs.26,62,000/- for the proposed land for the purpose of Floriculture.

2. In Govt.Memo. 3<sup>rd</sup> read above, Government have examined the proposals of the Collector, Visakhapatnam as recommended by the CCLA, Hyderabad and the request of the applicant Sri V. Venkataramana Raju for alienation of land to an extent of Ac.1-00 covering in Sy.No.129 of Vadlapudi village and in Sy.No.131 of Chinagantyada village of Gajuwaka Mandal and rejected duly taking into consideration of the remarks of AP Pollution Control Board and since the land is located in the residential area and St.Mary's Convent School and decided that this land cannot be allotted for Stone Crushing purpose by placing public safety in jeopardy irrespective of the market value that it commands. Government have further decided to alienate the said land in favour of Visakhapatnam Urban

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Development Authority for proper use of the above land for public purpose. Accordingly the District Collector was requested to submit necessary alienation proposals in favour of VUDA for a proper use of the above land for public purpose to Government.

3. Aggrieved by the orders of the Government Sri V. Venkataramana Raju has filed WP No.626/ 2006 before the Hon'ble High Court of AP contending that the land requisitioned is not for the purpose of Stone Crusher but for Floriculture and the High Court vide its order dated 11.01.2006 set-aside the Government orders dated 9.12.2005 with the following observations:

"The petitioner shall make application to Government for fresh consideration and upon such representation or application, the respondents shall consider the same afresh and uninfluenced by the earlier orders passed by it particularly taking into account the report of the Pollution Control Board which stated that the Stone Crusher has been lying idle for the past several years and the very purpose of assignment of land is for Floriculture."

4. In the reference 10<sup>th</sup> read above, the Spl.C.S. & CCLA, Hyderabad has reported that as per the report of the Collector, Visakhapatnam dated 7.6.2007 the land is in possession of the applicant and his family members, and it was improved by spending considerable amount and finally recommended for allotment to the applicant on payment of market value. The Joint Collector in his inspection report has stated that the land is classified as "KONDA PORAMBOKE", lying just 100 Mts away from the NH5 road leading from Gajuwaka to Anakapalli, used for stone crushing from 1972 to 1999 and ground water potential is less to carry on Floriculture as there is not much Top Soil. He has further reported that originally the land in question was used for a Stone Crushing Unit and it is obvious that the land has only stone/ granite. There must be no topsoil left when such an unit is run for a considerable period. In the absence of any topsoil, there is no possibility for Floriculture. Hence, the CCLA, Hyderabad has recommended to reject the proposal.

5. In the reference 11<sup>th</sup> read above, Sri V. Venkata Ramana Raju has submitted a representation before the Hon'ble C.M., stating that their family is completely depending on the said site for the last 40 years and paying taxes to the Government since 1972, and for the development of the said land they have invested their life earnings on the site and taken personal loans from various persons, as the Banks are not come forward to give loans without valid title over the land. Further he has represented that as there are no other income source to maintain his family, after rejecting his application for alienation for the purpose of stone crushing unit, they have changed their business to Floriculture but not to grab the Government land. He has therefore requested the government to examine the case sympathetically keeping in view the technical report of the Horticulture Officer and consider his request for alienation of the subject land in favour of him on payment of market value at Government level only or otherwise, his family will face much irreparable loss and mental agony. The petitioner has also submitted a letter given by the Horticulture Officer. The Horticulture Officer, Visakhapatnam (Extension) vide in his letter dated 21.4.2007 has informed that on physical verification of Ac.1-00 land lying in Sy.No.129 in Vadlapudi village and Sy.No.131 in ChinagantyaDa of Gajuwaka Mandal,

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it has been suggested that the land is feasible to cultivate Flowers like Jasmine, Marigold, Crossandra etc., provided necessary irrigation requirements are fulfilled.

6. Government have examined the reports of the Collector, / CCLA, Hyderabad and also the representation of Sri V. Venkata Ramana Raju, Visakhapatnam district, and observed that the land is in the possession of the applicant from 1972 onward as encroacher., and also decided to consider the request of Sri Venkataramana Raju (applicant) for alienating the Government to land to extent of Ac.1-00 in Sy.No.129 & 131 of Vadlapudi, and Chinagantyada villages, Visakhapatnam dist., to develop the Floriculture on payment of market value of Rs.26,62,000/- for the proposed land as recommended by the Spl.C.S. & CCLA, Hyderabad earlier in his letter dt.18.06.2004..

7. Accordingly, Government hereby accord permission to the Collector, Visakhapatnam for alienation to a total extent of land Ac.1-00 (i.e., in Sy.No.129/1 and 3 to an extent of Ac.0-78 Cts of Vadlapudi village, and in Sy.No.131/ 1 to an extent of Ac.0-22 Cts of Chinagantyada village in Gajuwaka Mandal) Visakhapatnam district in favour of Sri V. Venkataramanaraju on payment of market value Rs.26,62,000/- for the proposed land for the purpose of Floriculture.

8. The conditions stipulated in BSO-24 shall be applicable for the above alienation.

9. The District Collector, Visakhapatnam shall take necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M. SAMUEL,**

**PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Collector, Visakhapatnam dist..

The Spl.C.S. & CCLA, Hyderabad.

Copy to :

The P.S. to Prl.Secy. to C.M.,

The PS to Minister for Revenue

The PS to Prl.Secy (MS) Revenue.

The General Administration (Cabinet) Dept.

With ref. to C.R.No.419/ 2008, Dt:18-12-08

The Finance (Exp. Revenue ) Dept.

SF/SC

**//FORWARDED::BY ORDER//**

**SECTION OFFICER.**